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ABSTRACT

This report focuses on progress in the implementation of Part H of the Individuals with Disabilities Education Act (IDEA) through a comparison of states' status on three yearly administrations of the State Progress Scale. The scale was designed to monitor implementation of the required 14 components in the stages of policy development, policy approval, and policy application. In policy development, the states were farthest along in developing: a definition of developmental delay; timelines; multidisciplinary evaluations; procedures for designing Individual Family Service Plans; and the central directory. Those components of the law that showed the least progress in policy development were: assignment of financial responsibility, timely reimbursement, interagency agreements, administration and monitoring, and comprehensive personnel development. The processes of policy approval and policy application were at a lesser stage of completion. The states made significant progress on all of the required components from 1990 to 1991. The area that showed the least progress between 1990 and 1991 was the assignment of financial responsibility. Case study results from six diverse states indicated states are having difficulty coordinating various funding sources. It is concluded that the states have demonstrated a "good faith effort" and should be provided with additional time and financial incentives as necessary. The scale is appended. Includes 15 references. (DB)

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Carolina Institute for Child and Family Policy

STATUS OF STATES' PROGRESS IN IMPLEMENTING PART H OF IDEA: REPORT #3

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July, 1991

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EXECUTIVE SUMMARY

This report focuses on the progress that the states are making in the implementation of Part H of the Individuals with Disabilities Education Act (IDEA). In 1991, the Part H Coordinators in each of the states plus the District of Columbia were asked to complete the State Progress Scale (SPS) which also had been administered in 1989 and 1990. This scale allows us to chart the status of the states' progress in the implementation of the required 14 components for the three stages of policy development, policy approval, and policy application. Comparison of the states' status on the first, second, and third administrations of the SPS enabled us to depict the growth and changes that had taken place over the last three years.

The results revealed that the current status of the states is considerably improved from last year. States as a group have nearly completed the development of all required components. In **policy development** the states were farthest along in: establishing a definition of developmental delay, development of timelines, multidisciplinary evaluations, procedures for developing IFSPs, and the central directory. The states' status appears to be facilitated by previous efforts at similar tasks in the states and by Part H of IDEA that requires that some of the required service system components (such as the IFSPs and the multidisciplinary assessments) be implemented earlier than many of the other 14 components.

Those components of the law that showed the least progress to date in policy development were: assignment of financial

responsibility; timely reimbursement; interagency agreements; administration and monitoring of the system; and comprehensive personnel development. These are the areas that often require greater negotiations and compromise among agencies and influential groups. Since no one individual or agency has the authority and power to direct or mandate other agency administrators, the process of compromise and negotiations has been time consuming and difficult. The processes of **policy approval** and **policy application,** which must wait to some extent upon policy development, are at a lesser stage of completion at this time.

In comparing these results with the findings obtained on the same scale about one year earlier, substantial progress was noted. The states had gained an average of more than a half point on a five point scale on **all** of the required components.

The area that showed the least progress between 1990 and 1991 was the assignment of financial responsibility. The worsening financial climate in most states may be contributing to the difficulties in identifying and appropriating sufficient resources to provide early intervention services to all children who need them. While the recent legislation enacted by Congress in May, 1991, will help by allowing states to continue to participate and to provide some additional resources for those states making the expensive transition to full services, additional solutions may be required to adequately finance services.

Case study results from 6 diverse states indicate that states (even those considered the most advanced) are having considerable difficulty in coordinating the vast array of categorical funding

sources (Clifford, 1991; Clifford, Kates, Black, Eckland, and Bernier, 1991). It appears that if the goal of the provision of early intervention services to all eligible children and their families is to be realized, a reconceptualization of how services are financed is required.

Some progress between 1990 and 1991 was also noted in the areas of policy approval and policy application, although not much progress can be expected in these policy stages until policy development is finalized.

The states have demonstrated a "good faith effort" and have made considerable progress in meeting the complex demands of Part H of IDEA. The federal government should recognize the efforts states have made in the face of considerable barriers. The provision of additional time and financial incentives is necessary if states are to continue to participate in this program in the short run.

ACKNOWLEDGEMENTS

The authors would like to thank the Part H Coordinators for contributing their time and expertise to the completion of the State Progress Scale. We realize that their job is extremely demanding and that they receive requests for information from many quarters. Thus, we are extremely grateful for their participation in this study.

The authors also profited from the extensive review of a draft of this report by Pascal Trohanis (National Early Childhood Technical Assistance System) and Barbara Smith (Executive Director of OSEP), as well as CPSP staff members Jane Eckland and Patricia Fullagar. Their insights contributed significantly to improving this report.

Others who deserve thanks for their assistance in the creation of this document include Brenda Neel-Turlington, for outstanding aid in maintaining data sets from which information is drawn, and Beverly Paige, for secretarial help and support throughout the process. Thanks also to Bonita Samuels (Institute of Research in Social Science) for her editorial assistance.

INTRODUCTION

Part H of the Individuals with Disabilities Education Act (IDEA), formerly known as Part H of P.L. 99-457, is a discretionary program which requires major reforms in both the provision and financing of services. This legislation requires transforming a fragmented, and often inaccessible, collection of services provided by different agencies (Brewer & Kakalik, 1979; Gans & Horton, 1975) into a comprehensive, multidisciplinary, interagency, coordinated system of early intervention services (Harbin, Gallagher, Lillie, & Eckland, in press; Harbin & McNulty, 1990).

Despite the challenges of this monumental legislation, all states and the District of Columbia are currently participating. The thousands of individuals across the country who have committed their time and expertise to the development of early intervention services has been impressive. As a result of this commitment from parents, service providers, university faculty, physicians, state agency staff, and policy-makers, states have, in large measure, shown a good faith effort to comply with the complex set of requirements that are part of this legislation. Previous studies have indicated that states have made substantial progress in developing policies across all of the 14 components (Harbin, Gallagher, & Lillie, 1989; Harbin, Gallagher, Lillie, & Eckland, 1990).

The implementation of Part H of IDEA is at a critical juncture. According to the legislation, if states have participated in this discretionary program since its inception, they should have already reached their fourth year of eligibility and participation. In order to

obtain the fourth year of funding, states are required to have "... adopted a policy which incorporates all of the components of a statewide system" (Part H of IDEA, Sec 1475 (b)(1)(A)). In addition, the "statewide system will be in effect no later than the beginning of the fourth year of the state's participation" (Part H of IDEA, Sec 1475 (b)(1)(C)). States are also required to provide multidisciplinary assessments, develop an IFSP, and make available case management to all eligible infants and toddlers and their families. The actual provision of the services included in the IFSP is not required until the beginning of the fifth year of participation.

A recent study by Harbin, Gallagher and Lillie (1991) showed that states are using a variety of types of policies to meet the requirements of the federal legislation. Thirty-four of the states indicated they intended to use state legislation as the vehicle for complying with the requirement for "a policy." Nine states indicated they intended to use some other type of official policy (e.g., Executive Order, State Board Approval, policy directives from lead agency, etc.). There were 9 states that were undecided as to which type of policy would be used. However, most states indicated that they had not yet obtained official approval of their policy, regardless of the type of policy selected.

Examination of the number of states receiving approval of their fourth year application from the Office of Special Education Programs in the U.S. Department of Education, also reveals similar findings. At the time data were analyzed for this study, there were 14 states (Colorado, Hawaii, Idaho, Illinois, Kansas, Maryland,

Michigan, Montana, Nebraska, Nevada, North Carolina, South Carolina, Texas, Washington) with an approved fourth year application.

The results of the previous studies on state progress (Harbin et al., 1989; Harbin et al., 1990), taken together with findings concerning the types of approved policy (Harbin, Gallagher, & Lillie, 1991), and the number of states with approved fourth year applications, raise both interest and concern about the future of this monumental program and its broad based support for the reform of the service delivery to infants and toddlers with disabilities and their families.

PURPOSE

This study, conducted by the Carolina Policy Studies Program (CPSP), focuses on the third administration of the State Progress Scale (SPS). At this critical juncture in the implementation of Part H of IDEA, this study had two fundamental purposes:

(1) To determine the status of the states' progress in the implementation of this law as many are preparing to enter or have already entered the fourth year of participation in this program, and

(2) To examine the amount of progress states have made in the last year. Of particular interest was whether the amount of progress was consistent with the previous year's progress.

METHOD

To provide an update on the status of the states' progress, the authors asked the Part H Coordinators from the fifty-one jurisdictions (50 states and the District of Columbia) to complete the State Progress Scale (SPS), especially designed for this series of studies. The first year (1989) that the SPS was administered, 47 jurisdictions returned their completed scales for a response rate of 92%. For the second administration, 50 out of 51 jurisdictions completed their scale for a 98% return rate. For this third administration, 50 out of 51 jurisdictions completed their scale for a 98% return rate.

This instrument utilizes a five point Likert-type scale (with 1 representing "not developed" and 5 representing "totally developed"), and contains items for each of the 14 components. Each required component is rated on each of the stages of policy implementation: policy development, policy approval, and policy application. Several studies of policy implementation have suggested similar stages (Campbell & Mazzoni, 1976; Meisels, 1985). **Policy Development** is the generation of a set of written rules and procedures. **Policy Approval** is the official sanction at the state level for the policies that have been developed. Who provides such an official sanction may vary from state to state. **Policy Application** refers to the policy actually being put into effect at the state and local levels.

The appendix contains a sample item for this scale, as well as the directions for completing the scale. The SPS has achieved adequate reliability (Harbin, et al., in press).

RESULTS

Results for each of the study purposes will be described. Presentation of results for each of the three policy stages contains two parts. The first part of each section addresses progress related to all of the required components except personnel standards and certification. Results for this specific component are reported in the second part of each section. This component (i.e., personnel standards and certification) is being reported separately, since it contains information on the progress related to each of the required professional disciplines.

What is the Status of States' Progress?

There was a wide range among states with regard to the total score on the State Progress Scale (SPS). States' total scores, including all components for all three policy stages (i.e., development, approval, and application) ranged from the lowest state score of 102 points to the highest state total score of 358 points. This demonstrates that at this time there is a wide range among the states in their implementation of Part H of IDEA.

In general, states have made more progress in policy development than in the stages of policy approval and policy application. Table 1 displays the overall means for each of the three stages of policy implementation. These data indicate that states, as a group, have nearly completed the policy development stage. However, these data also suggest that states have considerably more work to do before all policies will be officially approved. In light of the timelines within the legislation, the inability of states to obtain

Table 1: Means for Progress in State Policy Development, Approval and Application, N=50.

Policy Development	Policy Approval	Policy Application
4.40	3.61	2.97

Maximun Possible Score = 5.0

Policy Development: 5 = The states' policies are fully developed and written in final form
Policy Approval: 5 = The states' policies are officially approved and legally enforceable
Policy Application: 5 = The states are fully applying all aspects of the policies at the state and local level

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official approval of policies will make them ineligible for participation, unless the federal legislation is revised.

Policy Development. Figure 1 depicts the progress made by 50 jurisdictions in the development of policies for each of the required 14 components, except the component addressing personnel standards. As mentioned earlier, the component of personnel standards will be addressed separately, later in this section. As Figure 1 indicates, states have made the most progress in developing policies that address defining developmentally delayed, development of timelines, multidisciplinary evaluations, Individual Family Service Plans (IFSP), and the central directory. Indeed, the means for each of these components indicates that states, as a group, have nearly completed development of their policies for these early intervention service system components.

Figure 1 also indicates that states have made the least progress in assigning financial responsibility, timely reimbursement, administration and monitoring of the system, development of interagency agreements, and comprehensive personnel development. These data seem to indicate that there is still much work to be done before policies related to these components are completely developed. It is important to note that these policies often require the complex negotiation and agreement among several agencies, and in the case of personnel development, among several training institutions, as well.

Table 2 indicates that all states have begun policy development for the first six components. There are an additional eight components where all but 1 or 2 states have begun policy

Figure 1: Means for State Progress in the Implementation of Part H of IDEA
POLICY DEVELOPMENT, 1991, N=50

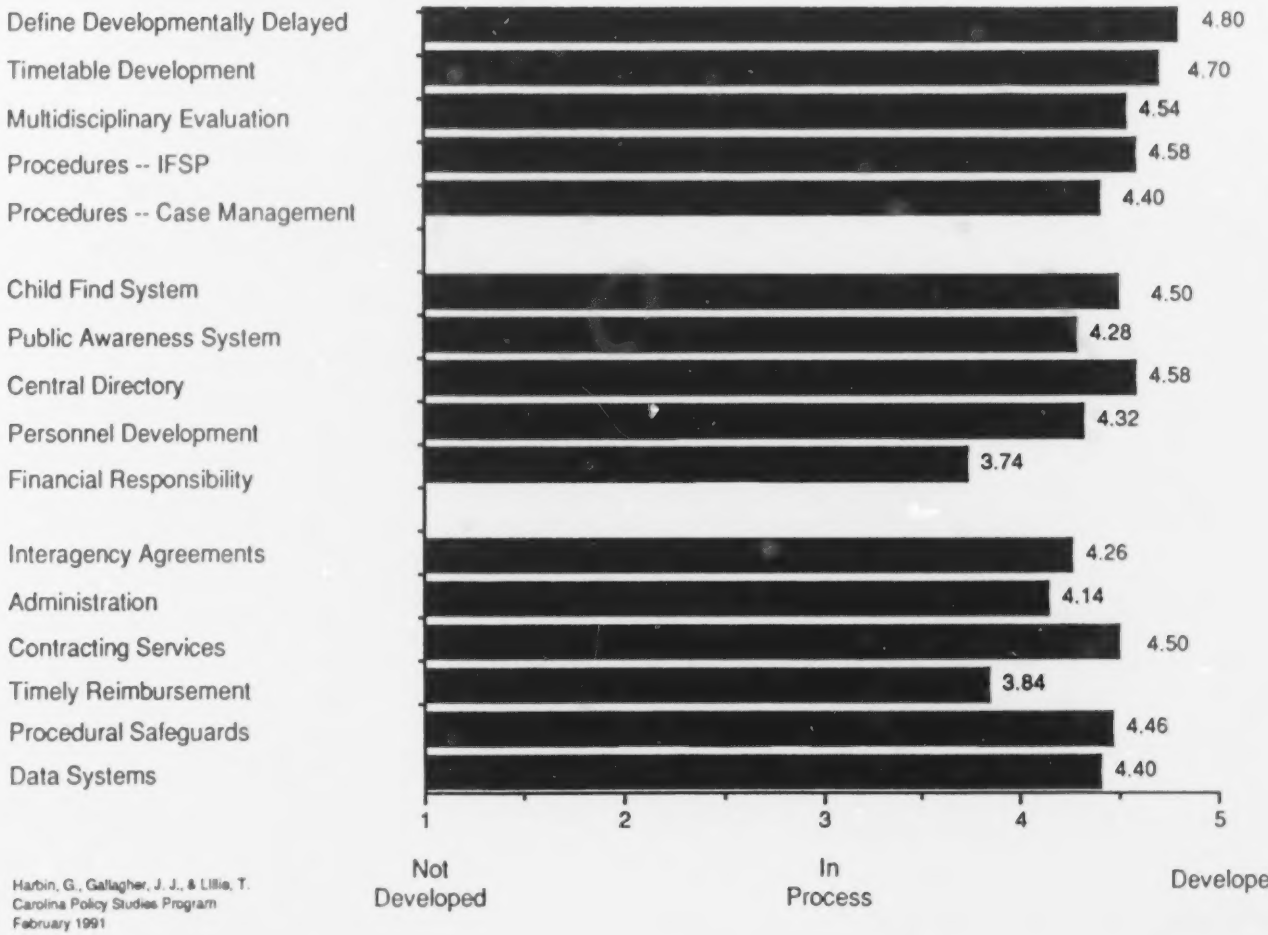

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Table 2: State Progress in the Implementation of Part H of IDEA Policy Development, 1991, N = 50

Requirements	1 Not Developed	2	3 In Process	4	5 Developed
1. Define "Developmentally Delayed"	0	0	2	6	42
2. Timetable Development	0	0	5	5	40
3. Procedures for Multidisciplinary Evaluation	0	0	6	11	33
4a. Procedures -- IFSP	0	2	4	7	37
4b. Procedures for Case Management	0	2	6	12	30
5. Child-Find System	0	3	1	14	32
6. Develop Public Awareness System	2	0	9	10	29
7. Develop Central Directory of Services	1	0	4	9	36
8. System of Personnel Development	1	1	9	9	30
9a. Procedures -- Assign Financial Responsibility	2	2	21	7	18
9b. Interagency Agreements and Dispute Resolution	1	1	10	10	28
9c. Administration	3	3	6	10	28
10. Procedures for Contracting Services	1	2	5	5	37
11. Policy for Timely Reimbursement	5	3	11	7	24
12. Develop Procedural Safeguards	2	0	6	7	35
14. Develop Data System	1	1	7	9	32

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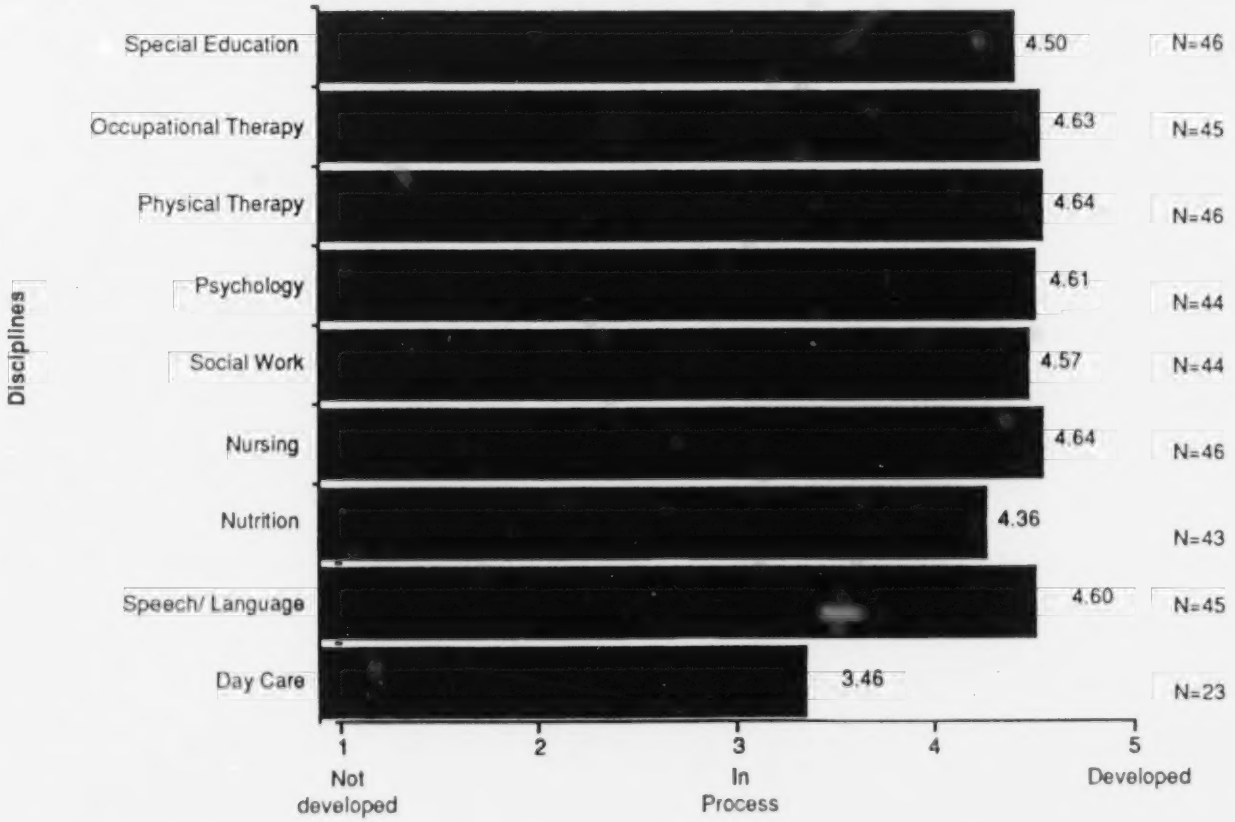
development. Timely reimbursement was the only component for which several states (5) had not yet begun policy development. Thus, it is interesting to note that although states had been participating in this program for approximately four years when these data were collected, there are some states that had not yet begun to develop some of the required policies.

Figure 2 presents data reported by states related to the development of personnel standards, certification, and licensure for the professional disciplines listed in Part H of IDEA. Since several states indicated a strong interest in the integration of infants and toddlers with disabilities into regular child care settings, day care was added to the list of disciplines, although day care personnel are not listed in the law or the accompanying regulations.

Figure 2 indicates that states, as a group, have nearly completed the development of personnel standards for all required disciplines. It should be noted that the unequal Ns across disciplines may indicate that some states might not intend to develop standards for a particular discipline. The items for the professions of psychology, social work, nutrition, and day care had fewer individuals responding to progress. It is possible that a particular state may have decided to not alter the existing certification for nutritionists in any way and, thus, did not rate this item. Several states indicated that standards for day care personnel were unknown or not applicable to them. There were 3 states that did not complete this entire question and thus provided no information on the status of the development of personnel standards for any of the disciplines.

Figure 2: State Progress in Establishing Professional Standards
POLICY DEVELOPMENT, 1991, N = 50



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Note: Due to missing data, Ns for each item vary.

Policy Approval. Figure 3 depicts the progress made by 50 states in obtaining official approval of policies for each of the 14 components except personnel standards. Results for the approval of personnel standards will be addressed separately, later in this section. States had made the most progress in obtaining approval of policies that address contracting for services, defining developmentally delayed, central directory of services, procedural safeguards, and the IFSP. Once again, the least progress had been made in the assignment of financial responsibility, timely reimbursement, administration, and personnel development.

As indicated in Table 3, most states have begun the process of obtaining official approval for their policies. The majority have identified who needs to be involved in the official policy approval process and have contacted these relevant persons. In several states the policy approval process appeared to be well-advanced and nearly completed. The number of states with approved policies varies according to each of the required components. The component for which the most states have approved policies is "procedures for contracting for services." It is possible that many states already had such a policy prior to the passage of Part H of IDEA. The variance in the number of states with approved policies indicates that at least some states are obtaining approval for their policies in a piecemeal fashion. It may also indicate that states may be utilizing some existing policies.

Figure 4 presents data reported by states related to the approval of personnel standards, certification, and licensure for the professional disciplines listed in Part H of IDEA. The data in this

Figure 3: Means for State Progress in the Implementation of Part H of IDEA
POLICY APPROVAL, 1991, N=50

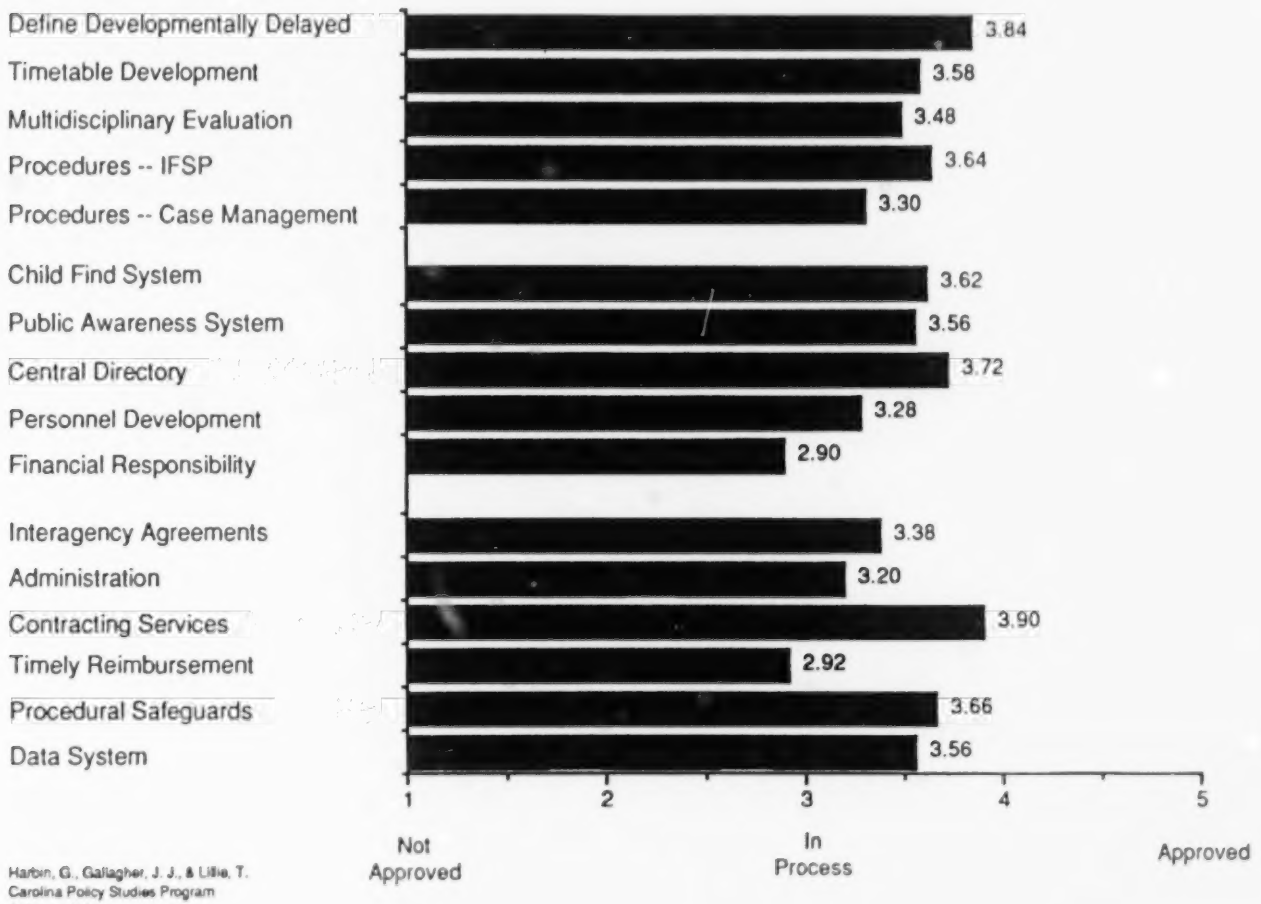

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Table 3: State Progress in the Implementation of Part H of IDEA Policy Approval, 1991, N = 50

Requirements	1	2	3	4	5
	Not Approved		In Process		Approved
1. Define "Developmentally Delayed"	0	6	11	18	15
2. Timetable Development	1	8	16	11	14
3. Procedures for Multidisciplinary Evaluation	1	5	20	17	7
4a. Procedures -- IFSP	1	8	11	18	12
4b. Procedures for Case Management	4	6	21	9	10
5. Child-Find System	3	4	15	15	13
6. Develop Public Awareness System	4	5	15	11	15
7. Develop Central Directory of Services	3	2	17	12	16
8. System of Personnel Development	6	6	14	16	8
9a. Procedures -- Assign Financial Responsibility	10	8	16	9	7
9b. Interagency Agreements and Dispute Resolution	4	6	18	11	11
9c. Administration	7	9	13	9	12
10. Procedures for Contracting Services	4	5	8	8	25
11. Policy for Timely Reimbursement	11	10	11	8	10
12. Develop Procedural Safeguards	4	2	14	17	13
14. Develop Data System	4	5	13	15	13

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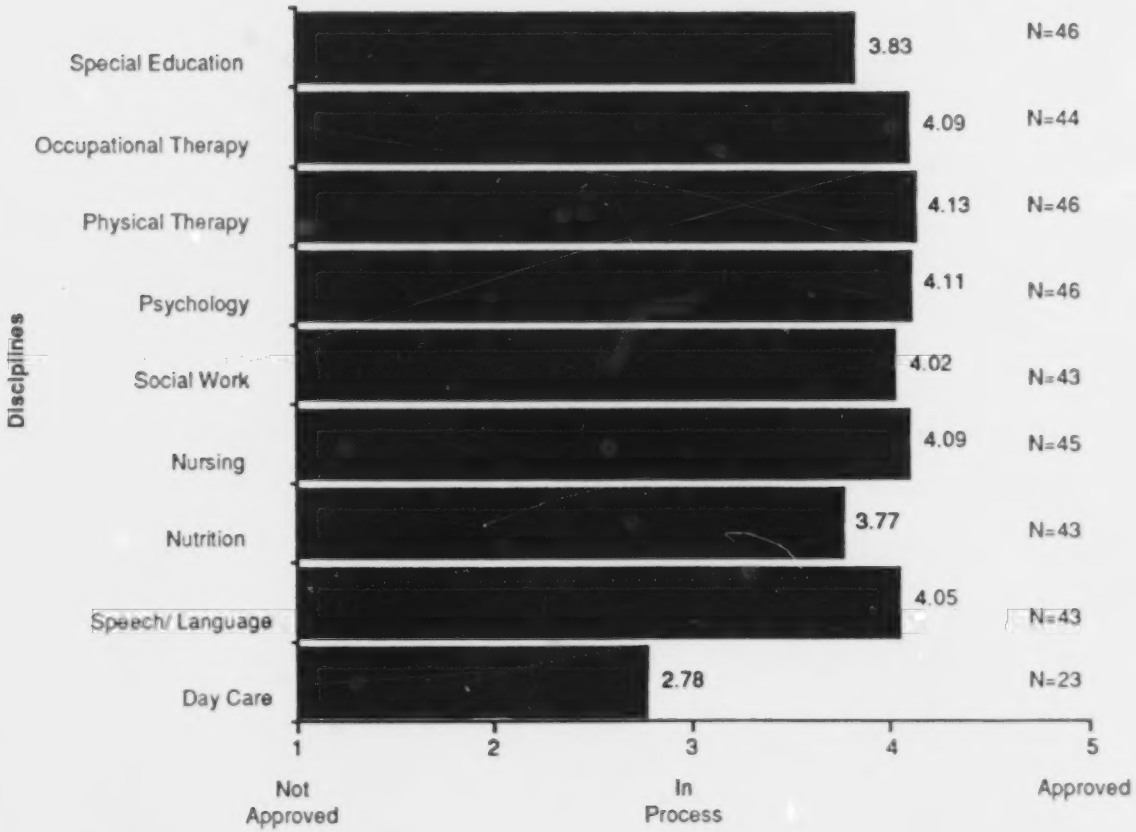
Figure 4: Means for State Progress in Establishing Professional Standards
POLICY APPROVAL, 1991, N = 50



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Note: Due to missing data, Ns for each item vary.

figure indicate that states, as a group, are well underway in the process for obtaining official policy approval. This is quite remarkable since in many states these professional standards are regulated by more than one agency or commission.

Policy Application. Figure 5 depicts the progress made by the 50 jurisdictions in applying the required policies at the state and local levels. This figure indicates that states have begun to implement some aspects of each of the required policies. The process of contracting for services is the area in which states have made the most progress in policy application.

Table 4 indicates that approximately two-thirds of the states are at some stage in the process of applying their policies (i.e., they rated themselves at a 2 or higher on the SPS). A small number of states are fully implementing all aspects of their policies, while some other states have not as yet even begun to implement their policies.

Figure 6 presents data reported by states related to the application or use of personnel standards, certification, and licensure. The data in this figure indicate that states, as a group, have reported that these policies are about 50% implemented. It is interesting to note that states have rated their progress higher in applying the policies for this individual service system component (i.e., professional standards) than for any of the other components.

What Progress Was Made Over the Last Three Years?

While it is important to know that states have made progress in implementing Part H of IDEA, the amount of progress made from

Figure 5: Means for State Progress in the Implementation of Part H of IDEA
POLICY APPLICATION, 1991, N=50

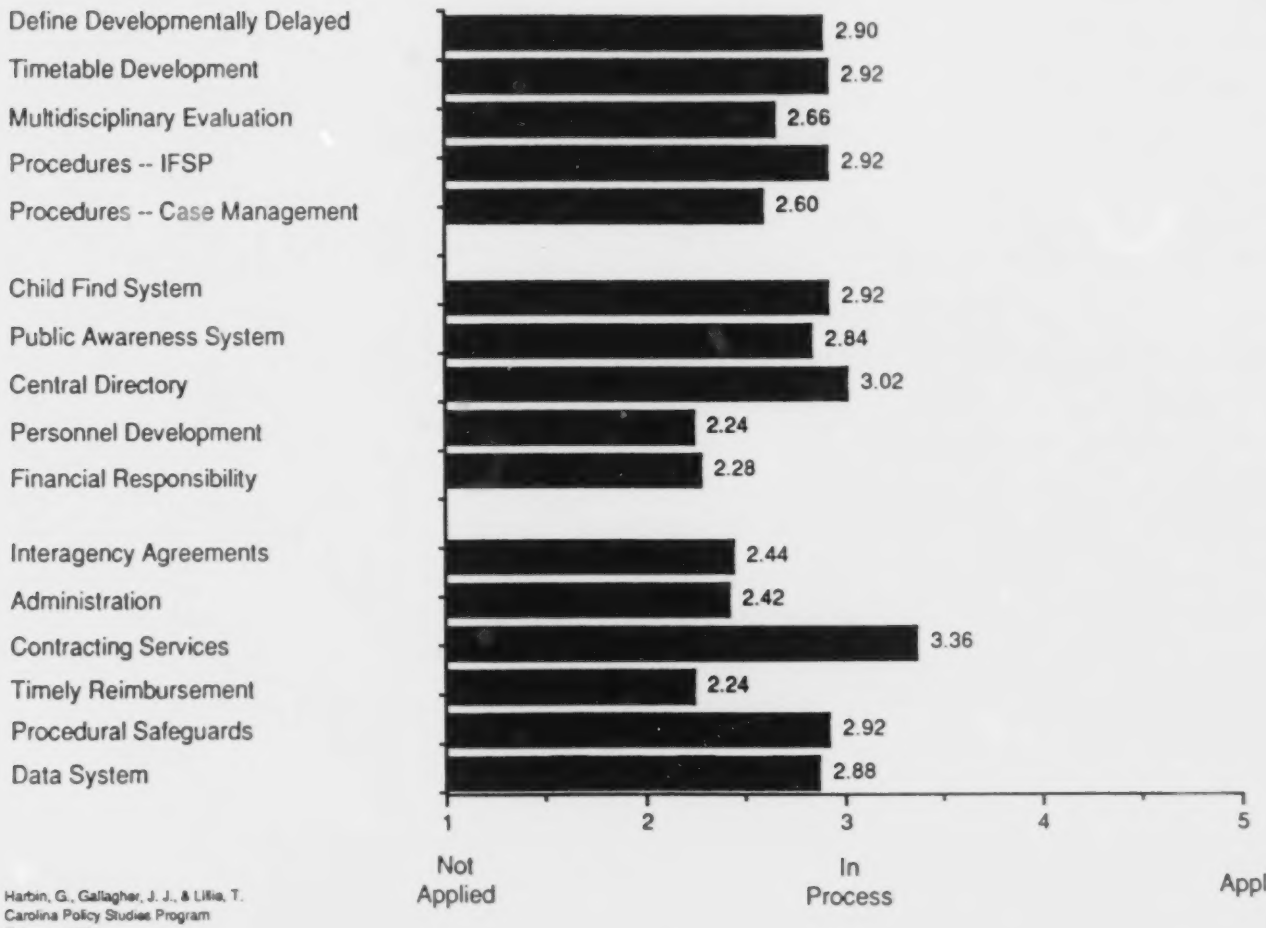

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Table 4: State Progress in the Implementation of Part H of IDEA Policy Application, 1991, N = 50

Requirements	1 Not Applied	2	3 In Process	4	5 Applied
1. Define "Developmentally Delayed"	11	6	17	9	7
2. Timetable Development	11	9	9	15	6
3. Procedures for Multidisciplinary Evaluation	11	13	13	8	5
4a. Procedures -- IFSP	9	8	15	14	4
4b. Procedures for Case Management	16	9	10	9	6
5. Child-Find System	7	10	19	8	6
6. Develop Public Awareness System	7	13	14	13	3
7. Develop Central Directory of Services	8	9	14	10	8
8. System of Personnel Development	16	15	12	5	2
9a. Procedures -- Assign Financial Responsibility	19	11	11	5	4
9b. Interagency Agreements and Dispute Resolution	18	10	9	8	5
9c. Administration	20	6	10	11	3
10. Procedures for Contracting Services	11	4	8	10	17
11. Policy for Timely Reimbursement	24	7	6	9	4
12. Develop Procedural Safeguards	12	9	10	9	10
14. Develop Data System	10	11	12	9	8

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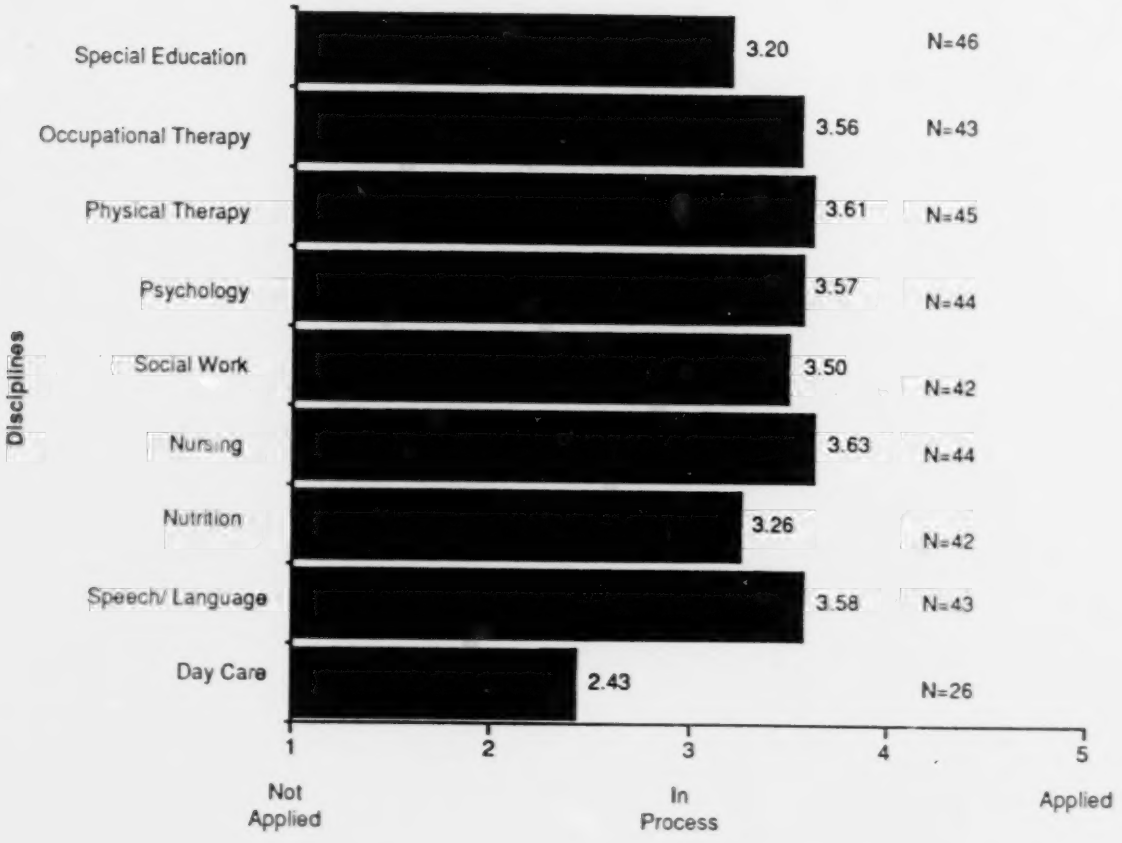
Figure 6: Means for State Progress in Establishing Professional Standards POLICY APPLICATION, 1991, N = 50



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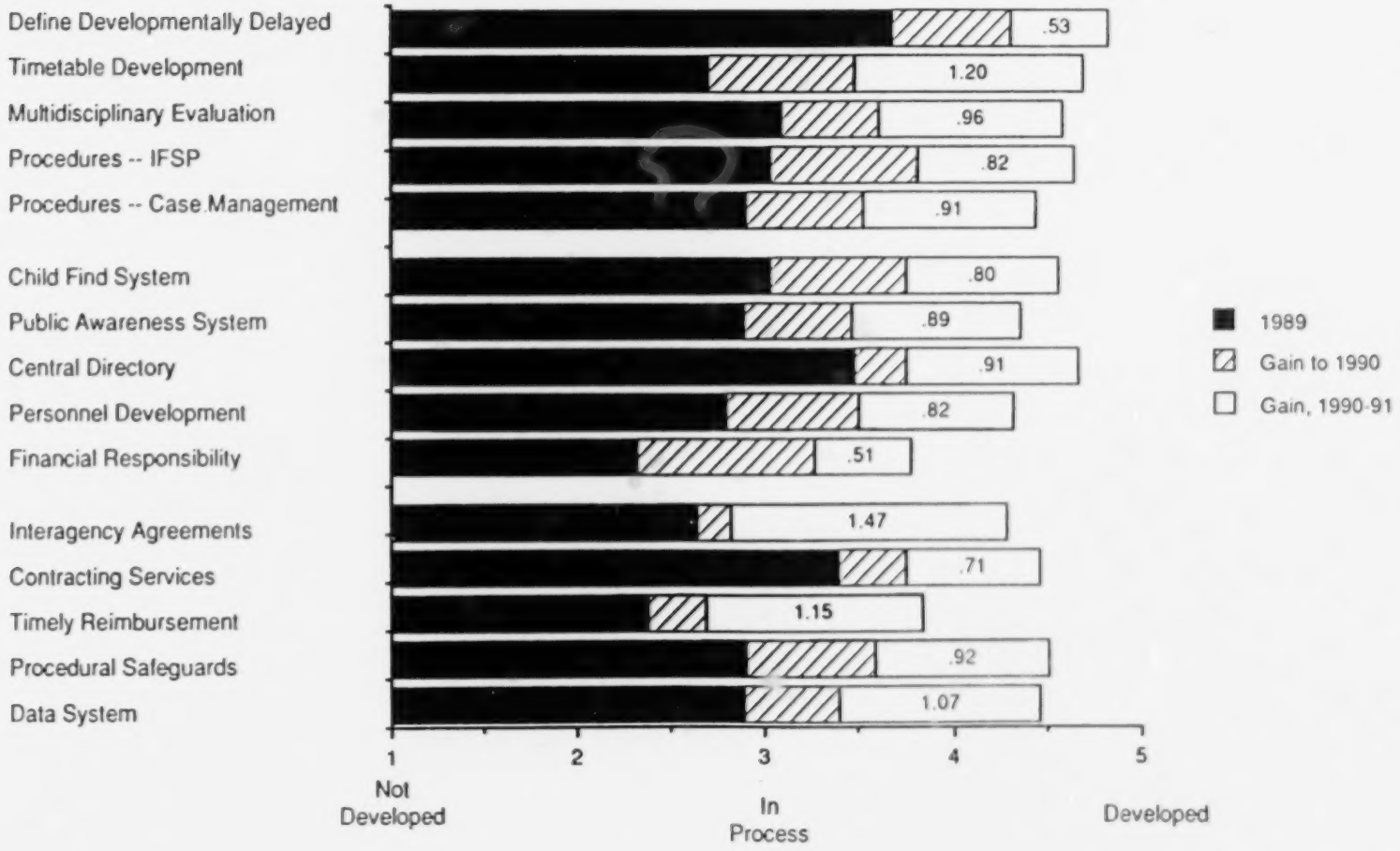
Note: Due to missing data, Ns for each item vary.

one year to the next is also of interest. Of particular interest is whether the rate of progress was similar across all of the 14 components, or if there was more progress in some areas than others. In addition, we were interested in whether the amount of progress was consistent from year to year. To answer these questions, the investigators compared the data collected from 45 jurisdictions for three administrations of the SPS: 1989, 1990, and 1991.

Policy Development. Figure 7 indicates the progress made in policy development over three years with approximately a one year interval between each measurement. The mean score for each component, for each of the three years, was used to construct this figure. In the figure, the solid bar represents the average amount of progress of these 45 states as reported in 1989. The hatched portion of the bar indicates the average amount of growth reported by states between 1989 and 1990, and the white portion of the bar represents the average amount of progress made this last year - between 1990 and 1991. The numbers within the white section of each bar indicate the average amount of progress made by the 45 jurisdictions in each component between 1990 and 1991.

As Figure 7 shows, there was noticeable, but differential progress made on each of the components. It is particularly encouraging to see the substantial progress made on the "development of interagency agreements," where there was a mean gain of 1.47 points, on a five point scale. Although this component lagged behind most of the others in over-all progress, the states reported dramatically increased activity in this area during the

Figure 7: Mean Gains in State Progress in the Implementation of Part H of IDEA
POLICY DEVELOPMENT, 1989-91, N=45



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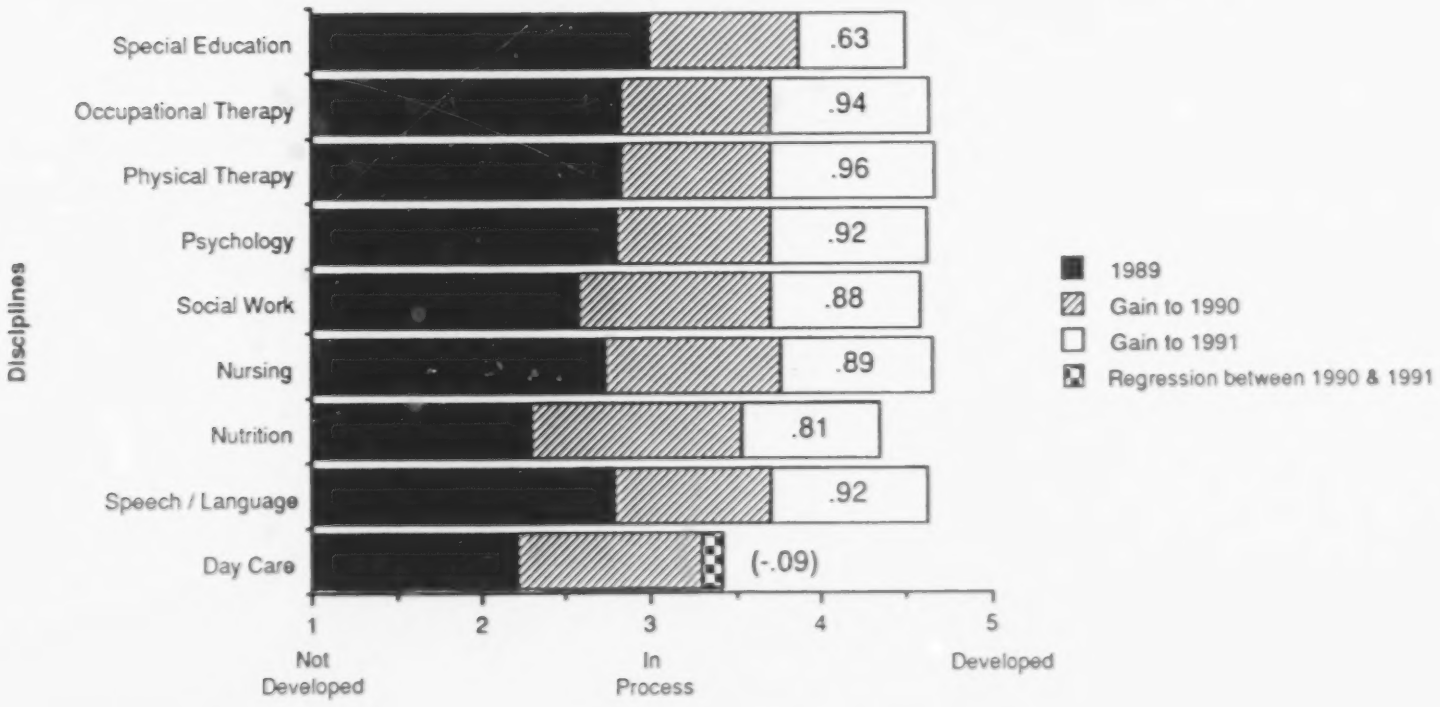
intervening year. There were three other components that made gains of over one point from 1990-1991: development of timelines, timely reimbursement, and data system. All of the other components made average progress of a half point (.5) or more on the scale.

While the assignment of financial responsibility was one of the components in which the most gain was made between 1989 and 1990, it was one of the components in which the least progress was made between 1990 and 1991. This change may be a result of the worsening financial picture in a large number of states.

In all but two components (defining developmentally delayed and assignment of financial responsibility) states on the average made more progress in this last year (from 1990-1991), than they did in the previous year (1989 - 1990). One possible explanation for the increased amount of progress is that states were working harder in order to meet the timelines in the legislation and be ready to apply for fourth year funding. A rival explanation is based upon the literature related to the development and functioning of groups. This literature indicates that the development of a productive group often takes time and is influenced by the frequency of the meetings and the ability of the members to communicate effectively with one another. Therefore, it is also possible that states on the average made more progress in this last year as a result of the necessary groups of individuals becoming more familiar with one another and becoming able to function more productively.

Figure 8 represents progress made by states over the three year period related to the development of personnel standards,

Figure 8: Mean Gains in Professional Standards in the Implementation of Part H of IDEA
POLICY DEVELOPMENT, 1989-91, N = 45



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Note: Due to missing data, Ns for each item vary.

certification and licensure for the professional disciplines listed in Part H of IDEA. There was noticeable, but differential progress made in the discipline areas included in this component. The one exception is for the day care profession. As the figure indicates, there was actually a decrease in progress related to policy development for this profession.

Policy Approval. Figure 9 depicts the encouraging progress that states have made in policy approval. States have moved from beginning to discuss what needed to be done to obtain policy approval in 1990, to actually identifying the individuals involved and beginning to involve them in the policy approval process. States made tangible progress in policy approval for all required components. In all but three components (defining developmentally delayed, case management, and assignment of financial responsibility), states on the average made more progress between 1990 and 1991 than between 1989 and 1990.

Figure 10 presents the rate of progress made by states over the last three years regarding the approval of professional standards, certification, and licensure. It is interesting to note by comparing Figures 8 and 10 that more gains were made in policy approval than in policy development. Seven of the nine disciplines made progress of over one point on a five-point scale. This figure also indicates that states as a whole made no progress in the approval of professional standards related to day care.

Policy Application. An examination of Figures 7, 9, and 11 indicates that while states made gains in policy application in all components, fewer gains were made in policy application than in

Figure 9: Mean Gains in State Progress in the Implementation of Part H of IDEA
POLICY APPROVAL, 1989-91, N=45

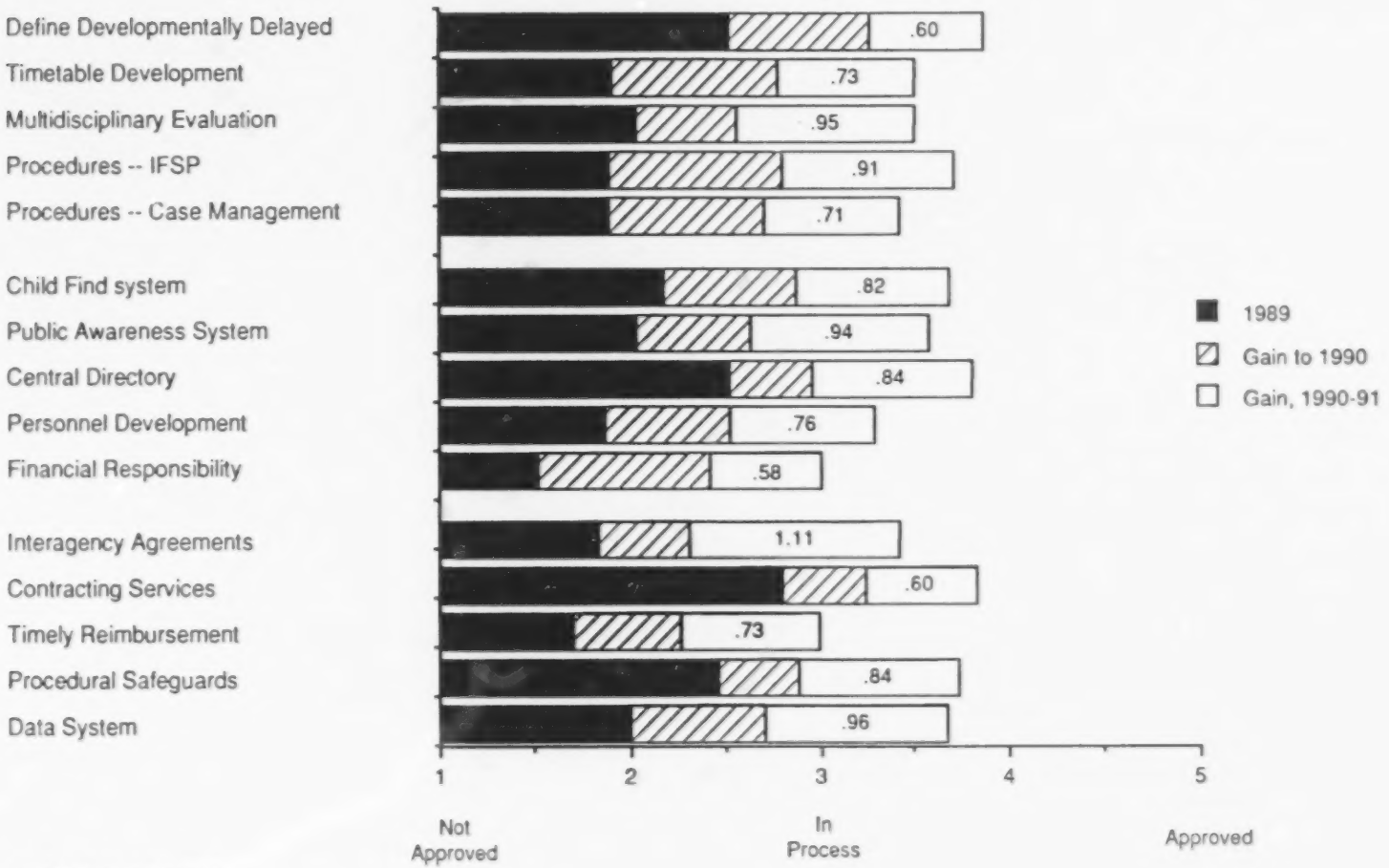

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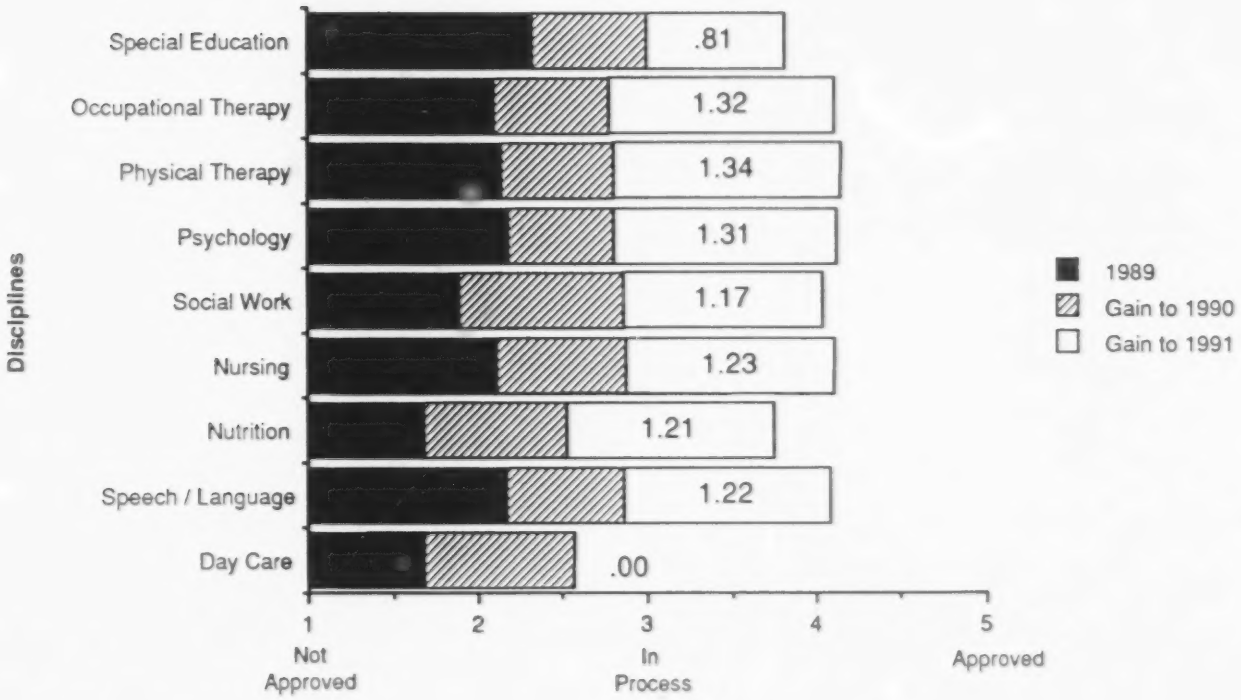
Figure 10: Mean Gains in Professional Standards in the Implementation of Part H of IDEA
POLICY APPROVAL, 1989-91, N = 45



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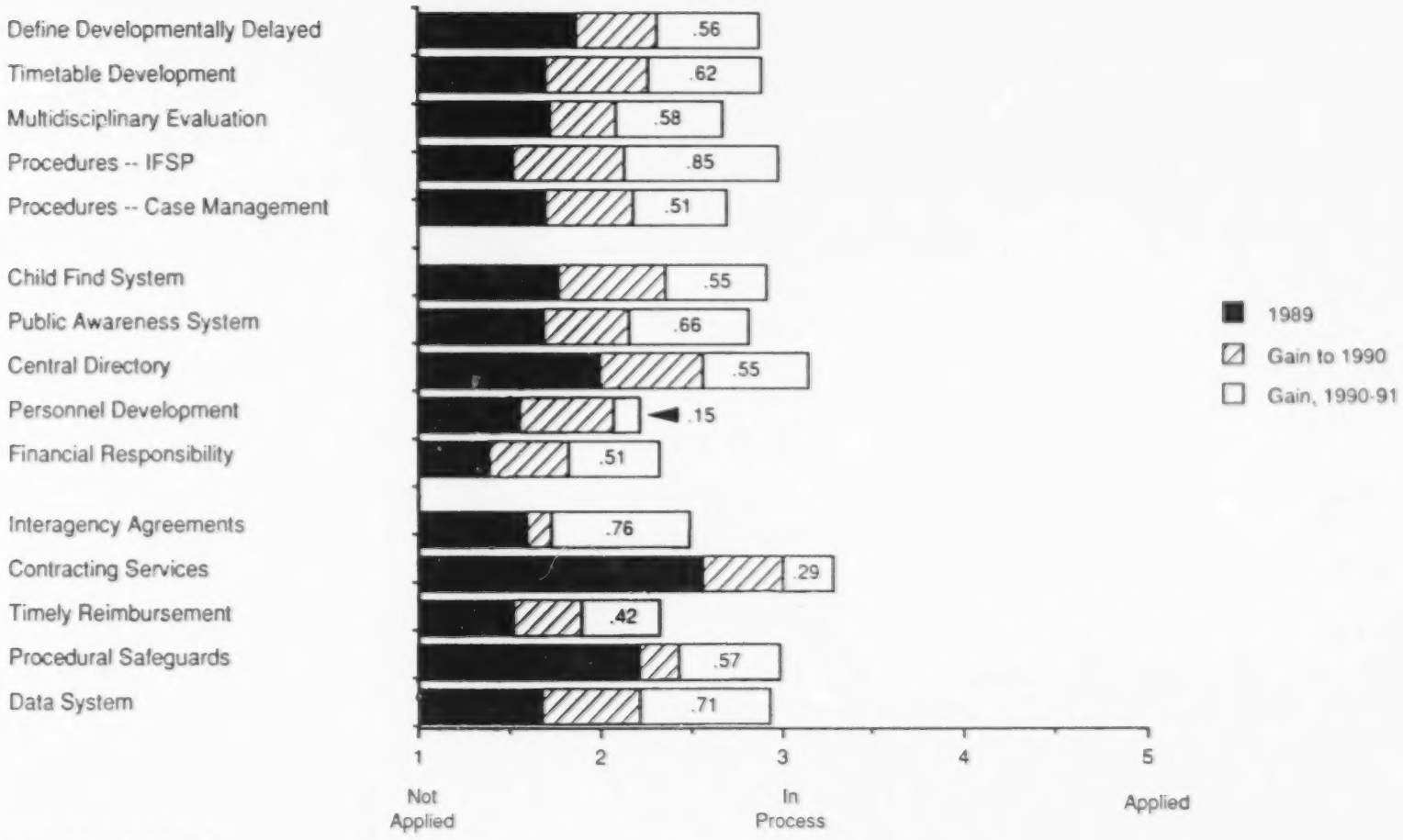
Note: Due to missing data, Ns for each item vary.

Figure 11: Mean Gains in State Progress in the Implementation of Part H of IDEA POLICY APPLICATION, 1989-91, N=45



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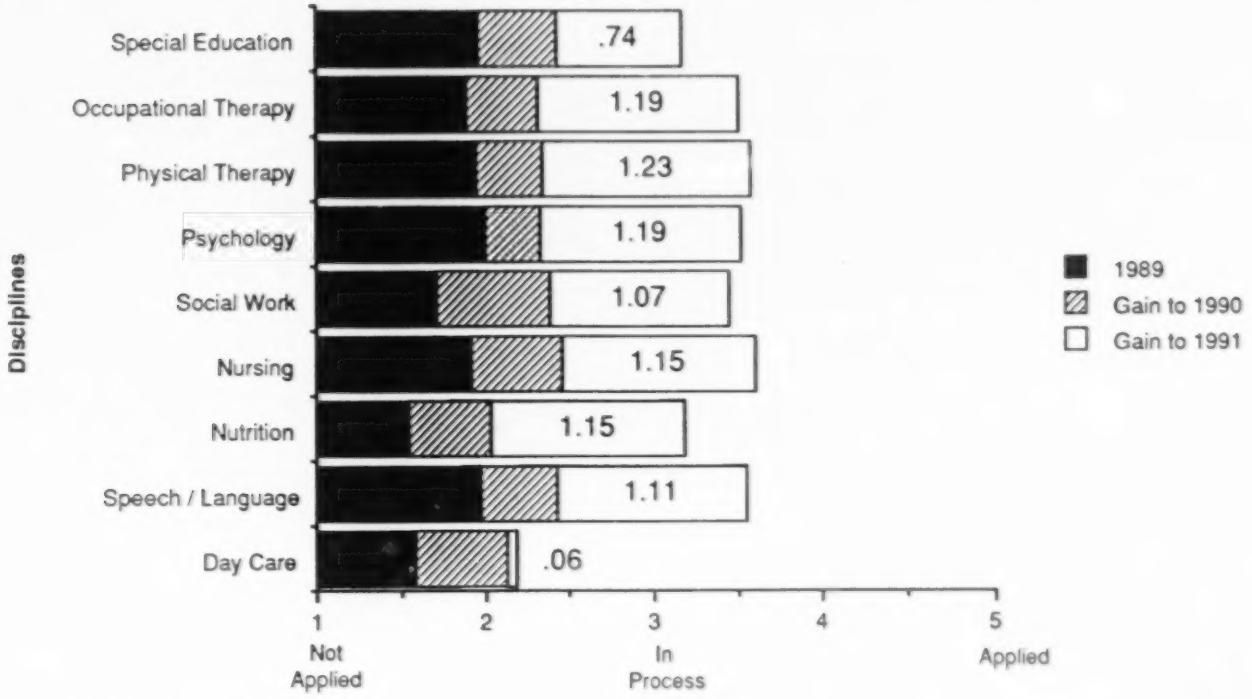
policy development and approval. These data indicate that states have moved from implementing only a few aspects of the policies to about 50% of full implementation, at least for some policies. There were four components in which states made less progress in this last year (1990-1991) than in the previous year. Those component areas were: child find, central directory, personnel development, and contracting for services. Of particular interest was the component addressing personnel development, in which the progress made between 1989 and 1990 was on the average .58 of a point on a 5-point scale. However, in the last year, states reported on the average a gain of only .15 of a point between 1990 and 1991. This represents the least amount of gain for any of the components in any of the three policy stages.

Figure 12 presents the rate of progress made by states over the last three years regarding the application or use of the professional standards, certification, and licensure. This figure indicates considerable gains in the last year for all disciplines except day care. There was minimal gain (.06) made in this profession in the last year.

Were There Individual Differences In the Amount of Progress Made by States?

As is often the case, the general tendencies shown in the previous figures mask some diverse changes by individual states. An examination of the individual states' scores for last year (1990) and this year (1991) indicate some interesting patterns. [The component addressing personnel standards, certification and licensure was

Figure 12: Mean Gains in Professional Standards in the Implementation of Part H of IDEA
POLICY APPLICATION, 1989-91, N = 45



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Note: Due to missing data, Ns for each item vary.

omitted when comparing states' progress since there were incomplete responses from several states regarding this component]. Four states showed a decrease in progress in their total score from 1990 to 1991. In 1 state there was a dramatic decrease of 114 points in the total score. Examination of the responses from the two years indicated that a team of individuals rated the state's progress in 1991, and perhaps used a more stringent criteria for rating progress.

In 1990, 9 states showed a decrease in progress over the previous year. It is certainly heartening to see that there were fewer states (N=4) with decreases this year. Decreases in scores might be explained in several ways. One possible explanation is that a different individual completed the SPS for each of the administrations. A second possible explanation for the decrease in progress is the existence of some external event, which either affected the state's progress, or caused the Part H Coordinator to change his/her perception of progress. For example, the election of a new governor or a new commissioner has the potential for changing the policy direction, and hence, setting back the policy development and approval process.

In addition to the states that reported decreased progress in 1991, there were 4 states with scores that either stayed exactly the same, or within one to two points of the previous year's total score. Thus, it appears that these four made relatively no progress between 1990 and 1991. Eighteen states made only minimal progress between 1990 and 1991, gaining from 10 to 36 points in one year. Twelve states made moderate progress, with gains ranging from 37

to 63 points. The remaining 11 states made substantial progress of 64 to 90 points.

CONCLUSIONS

Three major messages emerge from these data on the status of the states in implementing Part H of IDEA. First, states as a group continued to make progress across all 14 components. Indeed, on the average, states made more progress between 1990 and 1991 than in the previous year.

The second major observation is that states have made differential progress in the implementation of this monumental program. This is not surprising given that states began the process of implementation at different levels of readiness (Meisels, Harbin, Modiglini, & Olson, 1988). What was troubling, however, is that despite the fact that states have been receiving federal resources at least since October, 1987, some states had not yet begun policy development for some of the required service system components by 1991. Also striking is the number of states (4) that reported a decrease in progress and those states (4) in which virtually no progress was reported between 1990 and 1991.

There was also differential progress in implementation among the 14 components. Several components continue to lag behind in progress toward implementation. These components include: assignment of financial responsibility; timely reimbursement; administration, supervision and monitoring of the service system; development and approval of interagency agreements; and comprehensive system of personnel development. Most of these

components are directly related to developing a system for financing early intervention services.

The worsening financial climate in many states may be contributing to the difficulties in identifying and appropriating sufficient resources to provide early intervention services to all children who are entitled to them. The National Conference of State Legislatures (NCSL) recently reported that nearly two-thirds of the states were having serious difficulty in balancing their budgets (NCSL,1991). Indeed, it would be extremely difficult in this time of financial crisis to obtain new or additional revenues when most state programs are struggling just to maintain the same level of funding in an atmosphere in which program cuts and staff lay-offs predominate.

The third major message emerging from this study is that as of February, 1991 most states had not yet obtained official approval for their policies. Nor had most states received approval from OSEP for their fourth year application. In papers prepared for the reauthorization of Part H of IDEA, many individuals and organizations, including CPSP, have recommended a two-level differentiated federal contribution (Gallagher, Harbin, Clifford, Eckland, Place, Fullagar & Huntington, 1991). In the first level, planning money would allow states that demonstrate a "good faith effort" to continue planning for up to two years. In the second level, implementation money would aid those states making the expensive transition to full services. Indeed, the recent legislation enacted by Congress in May, 1991, includes this concept of a two-level (i.e., planning and implementation) approach to funding.

While a change such as the one described above is likely to help in the short run by allowing states to continue to participate, the long range solutions to the provision of early intervention services to all eligible children and their families seems to require a reconceptualization of how services are financed (Clifford, Kates, Black, Eckland & Bernier, 1991). As pointed out by Clifford et al. (1991), case studies of six diverse states revealed that the current categorical approach to financing services is dysfunctional. The original assumption that states should be able to access all relevant sources of funds, and then utilize Part H funds to coordinate and "glue" these various categorical sources together, has proven to be in error. Case study results indicate that even states which are relatively advanced in terms of meeting the requirements of the law are having considerable difficulty in coordinating the array of categorical funding sources so that they form a cohesive finance package (Clifford, 1991; Clifford, et al., 1991).

The creation of a cohesive funding package appears difficult for several reasons. First, each of the different funding sources requires a major investment of time and effort for state administrators to become knowledgeable about accessing the funds, let alone laying the political groundwork necessary to actually access the funds. As reported by Clifford (1991), it is not unusual for staff to spend a minimum of a year or more working to access a single funding source! Additional barriers to creating a coordinated system of financing early intervention services include the difficulty in: accessing private health insurance and resolving the ethical dilemmas posed by doing so; determining the "payor of last

resort"; and procuring the matching funds needed by some of the various funding sources (e.g., Medicaid).

The use of Medicaid funds has also been extremely problematic for most states. The Health Care Financing Administration (HCFA) has been particularly slow in approving changes in the Medicaid State Plans (Clifford, 1991; Clifford et al., 1991). State Part H staff report that queries of HCFA staff from different regions provide different and sometimes conflicting answers. In addition, regulations seem to change frequently, requiring staff time and effort to keep up to date on the various changes and their consequences. All of these difficulties combine to make the expectation that states access multiple resources difficult to achieve.

Another barrier to the coordination of multiple funding sources is the fact that most of these funds have been established for other purposes, in addition to serving infants and toddlers who are developmentally delayed, and their families. Administrators of many of these funds have already allocated these funds for other worthy purposes. They may then be likely to look with some suspicion upon individuals that propose to tap these limited and already allocated funds to be utilized for Part H services. Nor does there appear to be any single power at the federal or state level to direct or mandate agency administrators to share part of these resources.

This lack of single power and authority requires that resources be obtained through consensus and negotiation. Thus, the diverse interests and needs of many groups and constituencies need to be

taken into account during this process of negotiation. This democratic process provides the opportunity for many individuals and agencies to provide input into the decision. However, the democratic process has never been noted for accomplishing tasks in a timely fashion. Thus, time lines are at risk in any democratic venture, and have proven so in the case of Part H of IDEA, since most states have been unable to meet the timelines of the legislation.

On the other hand, perhaps when a path or vision has finally been settled upon, there is a sense of involvement and ownership that carries the program forward and provides future support. Thus, despite the difficulty in completing the policy development and policy approval tasks within the timelines of the federal legislation, it is possible that the fruits of the labor will be realized when policies are finally implemented and services provided.

The states have demonstrated a "good faith effort" and have made considerable progress in meeting the complex demands of Part H of IDEA. The federal government should recognize the efforts states have made in the face of considerable barriers. The provision of additional time and financial incentives is necessary if states are to continue to participate in this program in the short run.

In the long run, the realization of the promise of early intervention services to all eligible children is likely to require a reconceptualization of the current categorical approach to financing services. The provision of additional assistance in the form of relevant research and demonstration projects, and the revision of conflicting federal policies would encourage states' efforts and continued participation.

REFERENCES

Brewer, G. & Kakalik, J. (1979). Handicapped children: Strategies for improving services. New York: McGraw Hill.

Campbell, R. & Mazzoni, T. (1976). State policy making for the public schools. Berkeley, CA: McCutcheon Publishing Corporation.

Clifford, R. (1991) State financing of services under P.L. 99-457, Part H. Chapel Hill, NC: Frank Porter Graham Child Development Center, University of North Carolina at Chapel Hill.

Clifford, R., Kates, D., Black, T., Eckland, J., & Bernier, K. (1991). Reconceptualization of financing under P.L. 99-457, Part H. Chapel Hill, NC: Frank Porter Graham Child Development Center, University of North Carolina at Chapel Hill.

Gallagher, J., Harbin, G., Clifford, R., Eckland, J., Place, P., Fullaghar, P., & Huntington, K. (1991). Recommendations for Reauthorization of Part H of P.L. 99-457. Chapel Hill, NC: UNC Frank Porter Graham

Gans, S.P. & Horton, G.T., (1975). Integration of human services: The state and municipal level. New York: Praeger.

Harbin, G., Gallagher, J., & Lillie, T. (1989). States' progress related to fourteen components of P.L. 99-457, Part H. Chapel Hill, NC: Frank Porter Graham Child Development Center, University of North Carolina at Chapel Hill.

Harbin, G., Gallagher, J., & Lillie, T. (1991). Types of policy approval to be used by states. Chapel Hill, NC: Frank Porter Graham Child Development Center, University of North Carolina at Chapel Hill.

Harbin, G, Gallagher, J., Lillie, T., & Eckland, J. (1990). Status of states' progress in implementing Part H of P.L. 99-457: Report #2. Chapel Hill, NC: Frank Porter Graham Child Development Center, University of North Carolina at Chapel Hill.

Harbin, G., Gallagher, J., Lillie, T., & Eckland, J. (in press). Factors influencing state progress in the implementation of Public Law 99-457, Part H. Policy Sciences.

Harbin, G. & McNulty, B. (1990). Policy implementations. Perspectives on service coordination and interagency cooperation. (pp 700-721). In S. Meisels & J. Shonkoff (Eds.), Handbook of early childhood intervention. New York: Cambridge University Press.

Individuals With Disabilities Education Act, 20 U.S.C. 1418.

Meisels, S. J. (1985). A functional analysis of the evolution of public policy for handicapped young children, Educational Evolution and Policy Analysis, 7, 115-126.

Meisels, S.J., Harbin, G., Modigliani, K., & Olson, K. (1988). Formulating optimal state early childhood intervention policies. Exceptional Children, 55 (2), 159-165.

National Conference of State Legislatures (June 10, 1991). Revised state fiscal problems for FY 1991 and FY 1992. Denver, Colorado: NCSL.

APPENDIX

DEFINITION OF TERMS
SCALE TO MEASURE PROGRESS

POLICY DEVELOPMENT	POLICY APPROVAL	POLICY APPLICATION
1. The state has not begun conceptualizing or discussing the development of a policy.	1. The state has not begun the process of obtaining approval from some legally sanctioned body within state government (e.g., state legislature).	1. The state has not yet undertaken or begun application of policies at the state or local level.
2. The state has just begun to think about and discuss what the policy should entail.	2. The state has just begun to think about and discuss what needs to be done in order to obtain formal approval of the written policy by a sanctioned individual or body within state government (e.g., Governor, legislature).	2. The state has begun to apply some aspects of the policy (e.g., pilots, applying policy in one part of the state, applying an aspect of the policy).
3. The state has a task force or individual that has begun to draft a policy and get reactions from a variety of individuals.	3. The state has identified who needs to be involved in the official approval process, and has contacted some persons relevant to the approval process. There exists a clear understanding of the formal approval process and of how to achieve the goal of final approval.	3. The policy is about 50% applied.
4. The draft is undergoing revision, but policy developers feel this draft is nearly final.	4. The process of final state approval is well-advanced. Some individuals still need to be convinced, but final approval appears to be promising.	4. The state is nearly completely applying the policy. Some aspects of the policy remain to be applied.
5. The state policy is fully developed and written in final form (with unofficial approval).	5. State policy is finally and officially approved by one of the branches of state government, thus making it a legally enforceable document.	5. The state is fully applying all aspects of the policy at the state and local level.

SCALE DIRECTIONS

PL 99-457 (Part H) requires the states to demonstrate that they have taken action on fourteen separate but interrelated components as part of providing a multidisciplinary service delivery system for infants and toddlers and their families. This scale will allow you to rate how your state is progressing on each of these fourteen system components.

The eventual implementation of the fourteen components required by PL 99-457 will require the state to go through three phases: policy development, policy approval, and policy application. A short definition of each follows:

policy development - The generation of a set of written rules and procedures which guide the allocation of resources in a given program.

policy approval - The official sanction at the state level for the policies that have been developed. Who provides such an official sanction may vary from state to state. It could be the lead agency, legislature, Governor, or perhaps an official policy council.

policy application - the policy is being put into effect at the state and local levels.

This scale is designed to be used across several years to trace the progress of states in implementing PL 99-457. The use of three policy phases is likely to give a more accurate picture of changes in the states' policy development and implementation. It is possible that all of these three phases could be going on in a state at the same time, so it becomes necessary to ask you to rate each phase in each item. For example, the SAMPLE addresses a fictional component of the system. The sample state of "Utopia" has circled #3 in Policy Development, #2 in Policy Approval, and #2 in Policy Application.

Each policy phase is based upon a 5 point scale. A rating of 1 indicates no action taken, while a rating of 5 indicates that policy phase has been completed or accomplished. Please read each item very carefully.

Please be sure to circle only one number in each policy phase. This will add up to 3 circles on each page. Do not add any 1/2 numbers (e. g., 2 1/2).

Also enclosed is a page defining what each number means in terms of Policy Development, Policy Approval and Policy Application.

I. DEFINITION

TO WHAT EXTENT HAS THE STATE BEEN INVOLVED IN THE PROCESS OF DEFINING THE TERM "DEVELOPMENTALLY DELAYED" AS REQUIRED IN PL 99-457, PART H?

POLICY DEVELOPMENT

1 — No policy is being developed as yet

2

3 — In process of developing policy concerning definition

4

5 — Policy has been written

POLICY APPROVAL

1 — Have not begun process to obtain approval of policy

2

3 — In process of gaining official approval

4

5 — Policy has been officially approved and is legally enforceable

POLICY APPLICATION

1 — Have not begun to apply policy

2

3 — In process of applying policy

4

5 — Policy is fully applied at state and local levels

**** CIRCLE ONE NUMBER IN EACH CATEGORY ABOVE**

5

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